

House Bill 630 (AS PASSED HOUSE AND SENATE)

By: Representative Anderson of the 117th

A BILL TO BE ENTITLED
AN ACT

To amend an Act providing for a new charter for the City of Harlem, approved May 12, 2008 (Ga. L. 2008, p. 3654), so as to provide for a quorum; to provide that the mayor may be counted in the determination of a quorum; to provide for the vote of the mayor on matters before the city council; to provide for a veto by the mayor; to provide procedures for a veto and for overriding such veto; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing for a new charter for the City of Harlem, approved May 12, 2008 (Ga. L. 2008, p. 3654), is amended by revising subsection (a) of Section 2.21 as follows:

"(a) Three councilmembers or the mayor and two councilmembers shall constitute a quorum and shall be authorized to transact business of the city council. Voting on the adoption of ordinances shall be by voice vote and the vote shall be recorded in the journal, but any member of the city council shall have the right to request a roll-call vote and such vote shall be recorded in the journal. Except as otherwise provided in this charter, the affirmative vote of a majority of the quorum shall be required for the adoption of any ordinance, resolution, or motion."

SECTION 2.

Said Act is further amended by revising Section 2.22 by adding a new subsection to read as follows:

"(c)(1) Every ordinance adopted by the councilmembers shall be presented promptly by the city clerk to the mayor after its adoption.

(2) The mayor, within five calendar days of receipt of an ordinance, shall return it to the city clerk with or without the mayor's approval or with the mayor's disapproval. If the ordinance has been approved by the mayor, it shall become law upon its return to the city

clerk; if the ordinance is neither approved nor disapproved, it shall become law at 12:00 Noon on the fifth calendar day after its adoption; if the ordinance is disapproved, the mayor shall submit to the councilmembers through the city clerk a written statement of the reasons for the veto. The city clerk shall record upon the ordinance the date of its delivery to and receipt from the mayor.

(3) Ordinances vetoed by the mayor shall be presented by the city clerk to the councilmembers at their next meeting. If the councilmembers then or at any subsequent meeting within the next 30 days adopt the ordinance by an affirmative vote of three councilmembers, it shall become law.

(4) The mayor may disapprove or reduce any item or items of appropriation in any ordinance. The approved part or parts of any ordinance making appropriations shall become law, and the part or parts disapproved shall not become law unless subsequently passed by the councilmembers over the mayor's veto as provided in this subsection. The reduced part or parts shall be presented to the councilmembers as though disapproved and shall not become law unless overridden by the councilmembers as provided in paragraph (3) of this subsection."

SECTION 3.

Said Act is further amended by revising Section 2.33 as follows:

"The mayor shall:

(1) Preside at all meetings of the city council;

(2) Be the head of the city for the purpose of service of process and for ceremonial purposes and be the official spokesperson for the city and the chief advocate of policy;

(3) Have power to administer oaths and to take affidavits;

(4) Sign as a matter of course on behalf of the city all written and approved contracts, ordinances, and other instruments executed by the city which by law are required to be in writing;

(5) Be counted toward the constitution of a quorum if only two councilmembers are present;

(6) Vote on matters coming before the city council in the case of a tie vote among the members of the city council; and

(7) Have the right to veto matters passed by the city council as provided in subsection (c) of Section 2.22."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.